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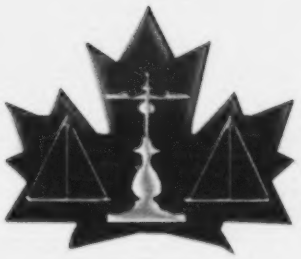
Juristat

Prostitution offences in Canada: Statistical trends



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.. not available for a specific reference period
... not applicable
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0^s value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded
^{p} preliminary
^{r} revised
x suppressed to meet the confidentiality requirements of the *Statistics Act*
^{E} use with caution
F too unreliable to be published
* significantly different from reference category ($p < 0.05$)

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Prostitution offences in Canada: Statistical trends: highlights

- Between 2009 and 2014, the period prior to the introduction of new legislation that made it illegal to purchase sexual services, there were 16,879 prostitution incidents reported by police in Canada. These incidents represented less than 0.1% of all crimes reported in Canada in the same time period.
- In 2014, there were 3.0 police-reported prostitution offences per 100,000 population, the lowest rate since 1982.
- The majority of prostitution offences (82%) reported between 2009 and 2014 were for communicating or attempting to communicate with a person for the purpose of engaging in or obtaining sexual services.
- Saskatchewan had the highest average police-reported prostitution rate among the provinces and territories (19.3 offences per 100,000) between 2009 and 2014. Over the same time period smaller census metropolitan areas (CMA) and non-CMAs (cities under 100,000 population) tended to experience greater prostitution rates compared with larger CMAs.
- Among incidents where the secondary violation was prostitution, violent offences accounted for the largest proportion of most serious violations (36%).
- Close to half (43%) of persons accused of a prostitution-related offence between 2009 and 2014 were female, compared with less than one quarter (23%) of persons accused of any offence overall during the same time period. Females accused of prostitution were much younger than males (median age of 31 versus 42).
- Repeated contact with police for prostitution-related offences was more frequent among female accused (27%) compared with male accused (3%).
- Between 1991 and 2014, there were 294 homicides of sex workers. One in three (34%) homicides of sex workers remained unsolved; a much greater proportion than for homicides that did not involve a sex worker victim (20%).
- Between 2008/2009 and 2013/2014, under one third (30%) of prostitution cases processed in criminal courts resulted in a guilty verdict; this was much lower than the proportion for criminal court cases in general (64%).

Prostitution offences in Canada: Statistical trends

by Cristine Rotenberg

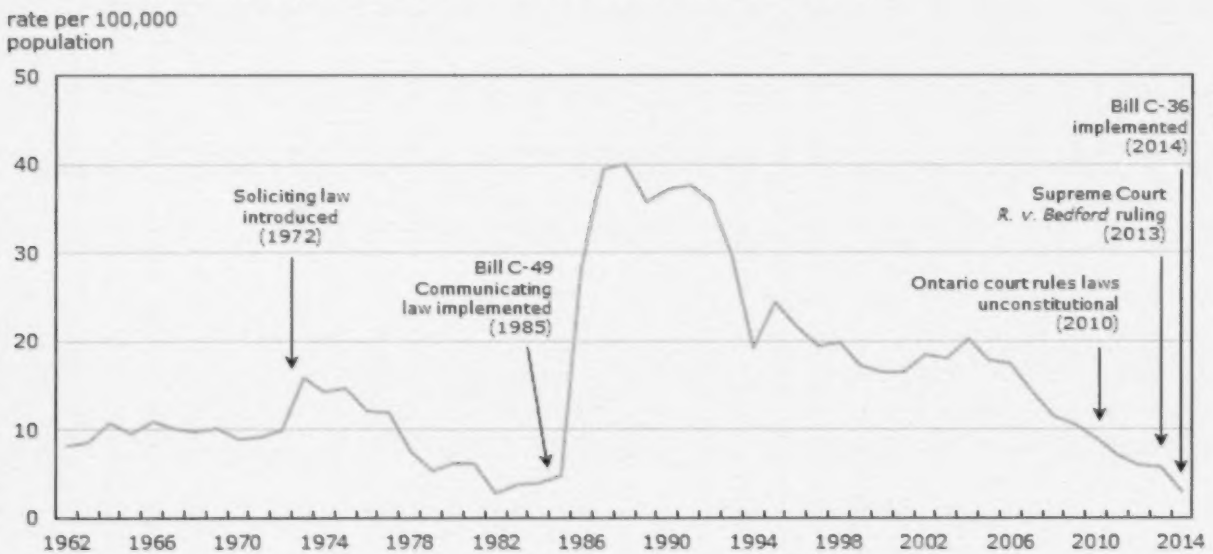
In 2014, new legislation was enacted that made it a criminal offence to purchase sexual services from any person, thereby making prostitution illegal in Canada for the first time.[1] Bill C-36, the *Protection of Communities and Exploited Persons Act* (*PCEPA*), which came into force on December 6, 2014, responded to the Supreme Court of Canada's 2013 *Attorney General of Canada v. Bedford*[2] decision, which found three pre-*PCEPA* prostitution offences unconstitutional: the bawdy house offences as they apply to places kept for the purposes of prostitution, living on the avails of prostitution, and communicating in public places for the purposes of purchasing or selling sexual services. The *PCEPA* enacted a version of the "Nordic Model," first implemented in Sweden in 1999, which treats prostitution as exploitative of primarily women and girls and aims to reduce its incidence by focusing on penalizing the purchasers of sexual services and those who benefit financially from the prostitution of others (Department of Justice Canada 2014).

This *Juristat* article examines trends in prostitution-related offences up until these legislative changes came into effect and thereby offers a final national portrait of prostitution-related offence trends for pre-Bill C-36 offences. In addition, this report will highlight characteristics of persons accused of prostitution-related offences, location and time of these incidents, homicide characteristics involving sex trade workers as well as court case outcomes involving prostitution cases. This report was commissioned and funded by the Department of Justice Canada.

Prostitution rates are directly influenced by legislation and police enforcement practices

Changes in prostitution legislation have a direct influence on police-reported prostitution crimes (Chart 1). For instance, in 1985 an offence prohibiting communicating in public places for the purposes of purchasing or selling sexual services was enacted (Bill C-49). A large increase in police-reported prostitution incidents under the communicating offence was noted following the implementation of Bill C-49 (O'Connell 1988). When new prostitution legislation (Bill C-36) was implemented in 2014, a decline in the rate of police-reported prostitution offences, largely attributed to communicating offences, was evident. Although this legislation did not come into effect until December of 2014, a notable decrease in prostitution offences is seen in the years leading up to the legislative change.

Chart 1
Trends in the rate of prostitution offences, Canada, 1962 to 2014



Note: Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada, Demography Division.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

Majority of prostitution offences are for 'communicating for the purposes of sexual services'

In 2014, police services reported 1,073 prostitution-related criminal incidents, representing a rate of 3.0 incidents per 100,000 population. In order to obtain a better understanding of both incident and accused characteristics for prostitution offences, data between 2009 and 2014 are pooled for subsequent analyses. Over this six year period, a total of 16,879 prostitution-related incidents were reported by police, representing less than 0.1% of all crimes reported in Canada.[3]

Between 2009 and 2014, 82% of police-reported prostitution offences were for communicating, 8% for procuring, 4% for keeping a bawdy house, and 5% for living on the avails of prostitution of a person under 18 or communicating with a person under 18 for the purpose of sex[4] (see Text box 2 for a description of prostitution-related violations).

Text box 1
Impact of police enforcement on prostitution offence trends

As with all offences reported under the Uniform Crime Reporting Survey (UCR), the prostitution offence statistics presented are based solely on those that come to the attention of and are reported by police. Fluctuations between years or across police services are common and may reflect changes in police enforcement of prostitution laws as opposed to actual prevalence of prostitution in a given year or community. Clusters of arrests may be made when police services undertake sting operations. Furthermore, when new laws are introduced, it can result in a temporary increase of police-reported prostitution offences. On the other hand, the anticipated introduction of new legislation can also influence a temporary decline of police-reported prostitution offences until legal direction is clear.

Police programs designed to address prostitution

In the mid-1990s, 'John school' programs were established in some Canadian cities as a pilot program designed to inform clients of prostitution services about the legal, medical and social consequences of their activities. By participating in a John school session, an accused may have their prostitution offence charge stayed or dropped. Many of these John schools still operate today. While attendance is not mandatory, it is a pre-charge diversion option intended for first time offenders and can be used in place of criminal charges if the accused completes the program (usually 1 day) and displays remorse. The sessions use a restorative justice approach that considers all persons affected by the decision to purchase sex, including the families of both the client and the sex worker, as well as the broader community.

After a number of Supreme Court hearings regarding the constitutionality of prostitution laws, some police services reported a decline in John school enrollments (Huncar 2014; Tumilty 2014). This was attributed to a hold on proactive policing activities for prostitution offences until new laws were established. Information on participation rates or the effectiveness of John schools is not nationally collected information, but may be available from some police services.

Text box 2
Definitions and concepts

Prostitution-related offences pertain to legislation in effect prior to December 2014 (CCC, 1985, c. C-36). These offences include, in brief:

Communicating offences (s. 213)

Every person who communicates or attempts to communicate with any person for the purpose of engaging in prostitution or obtaining sexual services in a public place is guilty of an offence punishable on summary conviction. A public place includes places which the public have access to by right or invitation, and any motor vehicle open to public view.

Procuring offences (s. 212)

Procuring involves enticing, soliciting, encouraging or forcing someone to engage in prostitution for gain, including living on the avails of prostitution. A person may be imprisoned up to 10 years for procuring. If the person is living on the income of a sex worker under 18, the maximum prison sentence is 14 years.

Bawdy-house offences (s. 210 and 211)

A person keeping a common bawdy-house (i.e., a place kept, occupied or frequented for purposes of prostitution) may be imprisoned for up to two years. An individual occupying, found in, taking someone to, or in control of a bawdy-house and allowing prostitution-related activities to occur may be found guilty of an offence punishable on summary conviction.

Sex workers

The distinction between 'sex worker' and 'prostitute' along with 'sex work' and 'prostitution' is an important one. Because Canadian legislation continues to refer to sex work as 'prostitution offences', this *Juristat* article will reflect the terminology expressed by police services and in the law. It is noted that the business of 'prostitution' is synonymous with 'sex work'.

According to some research, 'sex worker' is considered most appropriate in identifying individuals who work in or conduct business in the sex work industry by selling their own sexual services (Benoit and Shumka 2015). 'Sex sellers' is also a recent term used to describe individuals who sell their own sexual services (Department of Justice Canada 2014), and is considered synonymous with 'sex workers' for the purposes of this report.

Saskatchewan reports highest prostitution rate

Between 2009 and 2014, Saskatchewan reported the highest average prostitution rate (19.3 offences per 100,000 population), followed by British Columbia (11.1), and Alberta (10.4). The national average over the six year period was 6.9. In 2014, the prostitution rate and number of incidents dropped for nearly all provinces compared with the previous five years (Table 1).

Prostitution-related offences rate higher in areas with a smaller population

Among the 33 census metropolitan areas[5] in Canada analyzed over the six year period, Saskatoon had the highest average police-reported prostitution-related offences rate (42.1 offences per 100,000 population) followed by Regina (28.4) and Moncton (27.7) (Table 2).

While prostitution-related incidents take place in greater numbers in major CMAs such as Vancouver, Montreal and Toronto, once population size is taken into account, smaller Canadian CMAs tend to experience greater relative proportions of police-reported prostitution incidents.

This finding is further evident when analyzing CMAs compared with non-CMA areas.[6] For instance, although CMAs collectively accounted for 87% of all prostitution-related incidents in Canada between 2009 and 2014, prostitution rates are slightly higher overall among non-CMAs. Between 2009 and 2014, the average annual prostitution rate was 11.4 per 100,000 population for non-CMAs compared with 9.8 for CMAs. Although the actual number of prostitution incidents is smaller in non-CMAs, this suggests that smaller townships and cities experience slightly higher prostitution-related offence rates than major CMA cities when population size is accounted for.

Text box 3
Preliminary post-Bill C-36 prostitution offence figures

As of December 6th, 2014, Bill C-36, the *Protection of Communities and Exploited Persons Act,* enacted new prostitution laws in Canada. This legislation introduced several new prostitution-related *Criminal Code of Canada* sections, including classifying certain prostitution violations as violent crimes. In order to separate prostitution trends resulting from new legislation from previous prostitution law trends, this *Juristat* article analyzes prostitution offences up until Bill C-36 was fully implemented (the final full year of data included which marks the end of previous legislation is 2014).

New offences under Bill C-36 were first reported in December of 2014; less than 20 such offences were recorded in the UCR data. Although these offences are new offence types under Bill C-36, they are included in 2014 trend data discussed in this *Juristat* article as a reflection of all prostitution offences reported by police during the six year time period.

In 2015, there were 628 police-reported incidents related to the commodification of sexual activity, and 171 incidents recorded as other prostitution offences. As a result of a change of focus in prostitution legislation aimed at protecting persons selling sex, 'commodification of sexual activity' prostitution offences are now reported as violent offences. For more information, see the 2015 police-reported crime statistics *Juristat* article (Allen 2016).

Characteristics of prostitution-related incidents

Violent offences reported alongside prostitution offences

Of the 16,879 total incidents involving at least one prostitution-related offence reported by police between 2009 and 2014, 84% of incidents involved prostitution as the most serious violation. The most serious violation in an incident is determined by police based on a number of classification rules regarding the seriousness of the offence.[7] The remaining 16% of incidents involving prostitution include incidents where a prostitution-related offence was a secondary offence rather than the most serious violation. Among the incidents where a prostitution offence was a secondary offence[8] violent offences accounted for the largest proportion of most serious violations (36%). A further breakdown of these violent offences found that the most common was sexual assault level 1 (24%), followed by trafficking in persons[9] (15%), and common assault (level 1)[10] (12%). After violent offences, other *Criminal Code* offences accounted for just under one third (30%) of most serious violations in an incident in which prostitution was a secondary offence, and most of these (89%) were offences against the administration of justice.[11] Property crime accounted for one in five (20%) of all most serious violations in which prostitution was a secondary offence. Drug offences accounted for 13%, and other federal statute violations accounted for the remaining 1% of most serious violations.

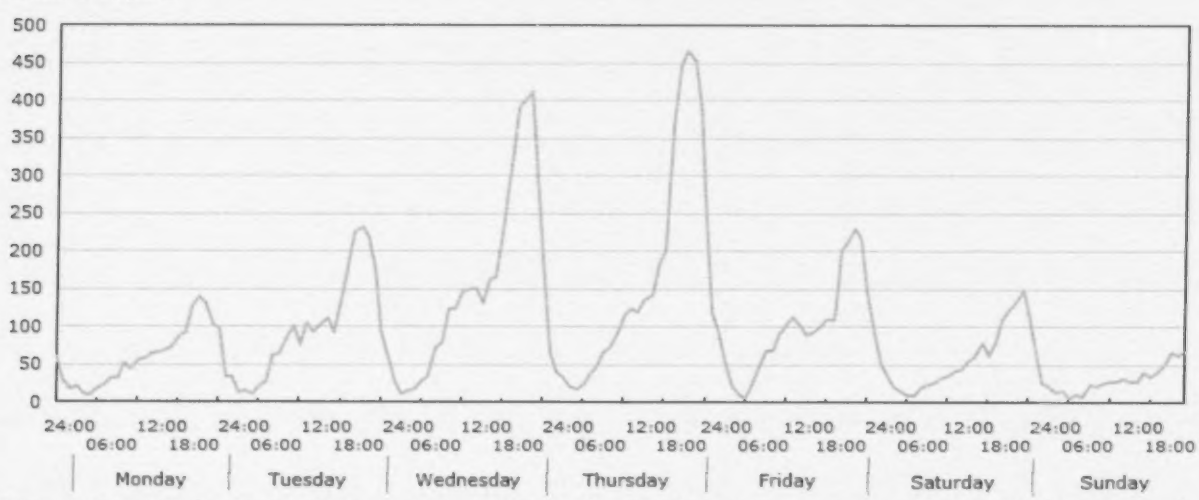
Most prostitution incidents occur in public spaces, on Wednesday and Thursday evenings

For all prostitution-related incidents reported by police between 2009 and 2014,[12] the majority (77%) took place in public spaces, including on a street, road, highway, parking lot, subway or bus station or shelter, other public transportation or connected facility, or other open area. One in 10 incidents (10%) took place in a single home, house, dwelling unit, or private property, 8% took place in a commercial setting and 5% took place in other types of locations.[13] Between 2009 and 2014, the proportion of prostitution offences that occurred in public spaces decreased from 86% to 45%, while prostitution incidents on private property increased (6% to 22%), as well as incidents in commercial spaces (4% to 21%).

Time and day of week incident analysis can be useful for certain offences that are suspected to have a predictable pattern of occurrence.[14] Based on pooled data from 2009 to 2014 where time of incident is known,[15] over half (52%) of prostitution-related incidents took place during a six-hour window between 7:00 p.m. and 12:59 a.m.

Prostitution-related incidents were most frequently reported on Thursdays (representing 24% of the week's incidents), followed by Wednesdays (23%). Sundays saw the lowest amount of reported prostitution incidents (5%). When analyzed by both time of day and day of week, Chart 2 depicts how prostitution incidents peaked on Wednesday and Thursday evenings.

Chart 2
Number of police-reported prostitution incidents, by time and day, Canada, 2009 to 2014



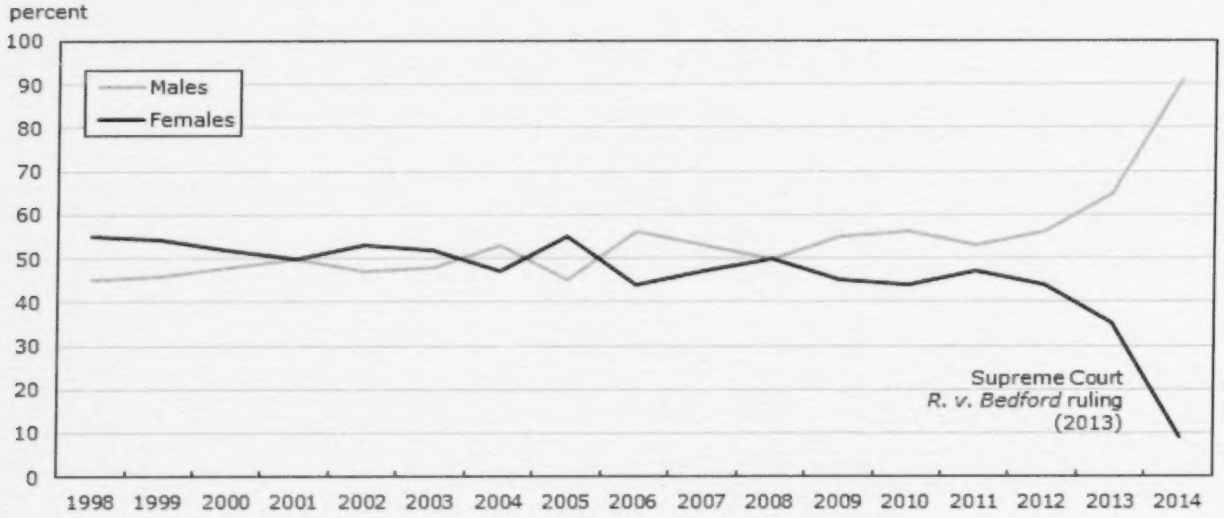
Note: Includes all incidents where there was at least one prostitution-related offence and where time of day and day of week information is known. Incidents are measured in one hour increments where, for example, the 6:00 time block represents 6:00 a.m. to 6:59 a.m.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey.

Information on the location and time of prostitution incidents may be influenced by police enforcement and initiatives such as 'John sweeps'. Furthermore, by nature of the pre-2014 definition of a prostitution offence as communicating in a public space (see Text box 2), it is expected that a large proportion of police-reported prostitution incidents occurred in a public location.

Almost half of persons accused in prostitution-related incidents were female, but proportion of males is increasing

Historically, between the late 1970s and late 1990s, women were more frequently accused of and charged with prostitution-related offences than men (Duchesne 1997; Wolff and Geissel 1993). This trend appears to have reversed in the late 2000s when males represented a greater proportion of persons charged with prostitution than females (Chart 3). Said otherwise, females represented 55% of accused charged with a prostitution offence in 1998. By 2013, this proportion decreased to 35%, and in 2014, only 9% of accused charged with a prostitution offence were female.

Chart 3
Distribution of accused charged with a prostitution offence, by sex, Canada, 1998 to 2014



Note: Data reflect an aggregate count of accused charged with a prostitution offence.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey.

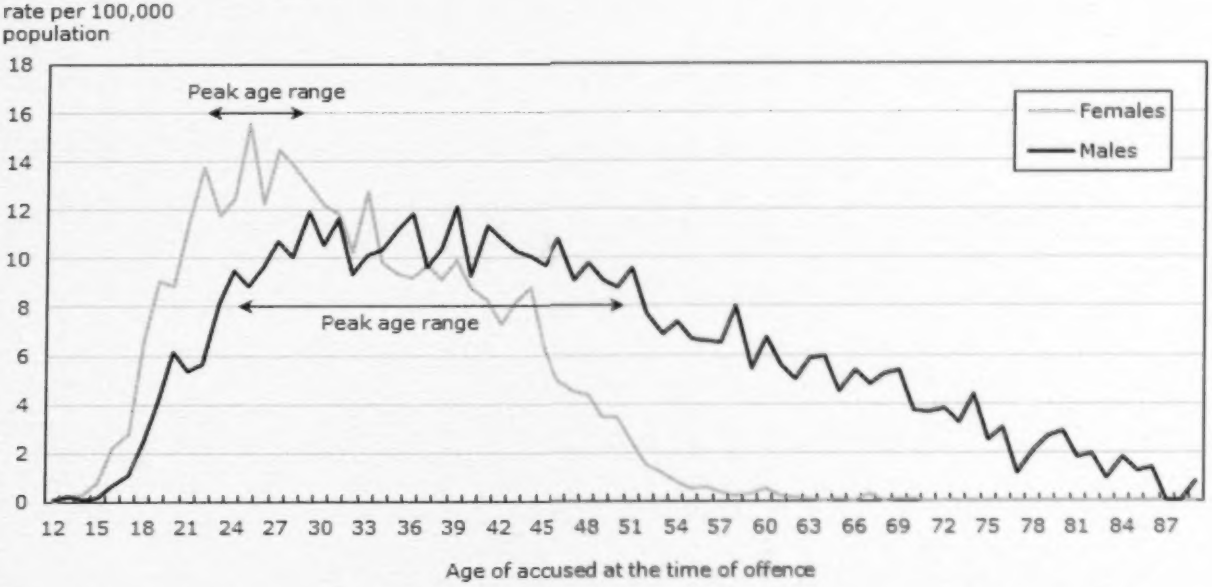
According to police-reported data from the Incident-based UCR Survey, between 2009 and 2014, females accounted for just under half (43%) of those accused of a prostitution-related offence.[16] This is significantly higher than all other police-reported crimes in Canada, of which females represented less than one quarter (23%) of accused. Past research confirms that prostitution is the only type of crime in which females and males are accused at roughly equal rates (Kong and AuCoin 2008). However, this trend has shifted in recent years: the proportion of police-reported males accused of prostitution offences increased from 53% in 2011 to 81% in 2014.

It is important to note that up until the introduction of Bill C-36 in 2014, prostitution communicating offence laws did not differentiate between offences committed by persons accused of providing sex and those purchasing sex. For example, the definition of communicating for the purpose of prostitution (s. 213) included persons who sought to 'engage in' or 'obtain' sexual services, an offence of which both a sex worker and a client could be accused. As such, the sex worker versus client roles were not reported by police and cannot be determined from police-reported crime data. Research suggests that in Canada, the vast majority of people who pay for sexual services are men, and that most sex workers are women (Benoit and Shumka 2015; Conseil du statut de la femme 2012). This research also suggests that sex workers should not be regarded as exclusively female; rather, there is literature on men and transgender people who also work in the sex industry (Carter and Walton 2000).

Females accused of prostitution much younger than males

Females accused of a prostitution-related offence were, on average, several years younger than male accused. The median age for males accused of a prostitution-related offence as their most serious violation was 42 years of age, while for females it was 31. Among females accused of a prostitution-related offence, there is a peak age between 22 and 28, while for males, there is a wider age range (approximately between the ages of 24 and 51) (Chart 4). Females were overrepresented among younger persons accused of prostitution-related offences: two in three (63%) young adults aged 18 to 25 who were accused of prostitution were female. Moreover, three quarters (72%) of youth under 18 years of age were female.

Chart 4
Rate of accused in prostitution-related incidents, by age and sex, Canada, 2009 to 2014



Note: Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada Demography Division. Data includes accused whose most serious offence was prostitution. Age of accused was unknown in less than 0.1% of accused records. These cases are excluded. Accused aged 90 years and older are excluded from this chart due to instances of miscoding of unknown age within this age category.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey.

Persons accused of prostitution are getting younger

The proportion of persons accused of prostitution-related offences aged 25 years and under increased from 18% in 2009 to 25% in 2014. Similarly, while youth under 18 years old represented 0.8% of accused in 2009, this figure increased to 2% in 2014.

A greater proportion of youth under 18 years old were accused of offences involving individuals under 18. Between 2009 and 2014, 12% of youth were accused of living on the avails of prostitution of a person under 18, compared with 1% of adults. Similarly, 18% of youth accused of a prostitution-related offence were accused of obtaining or communicating with a person under 18 for the purpose of sex, compared with 2% of adults. The overrepresentation of youth accused of crimes involving youth victims is also evidenced among incidents of sexual assault, sexual touching, luring a child via a computer, and other sexual offences (Cotter and Beaupré 2014).

Females experience far greater incidence of re-contact with police for prostitution than males

Repeat contact (re-contact) with police is a measure that provides additional context to the characteristics of those who come into contact with police for sex work and, more specifically, generates information on how many times individuals come back into contact with police for similar-type offences.

Over the six year period between 2009 and 2014, 11,607 individuals came into contact with police for a prostitution-related offence and were responsible for over 13,000 prostitution-related incidents. Of these individuals, approximately 12% (or 1,349 accused) were accused of two or more prostitution related incidents and were responsible for just over one-quarter (26%) of all prostitution incidents over the six year period.

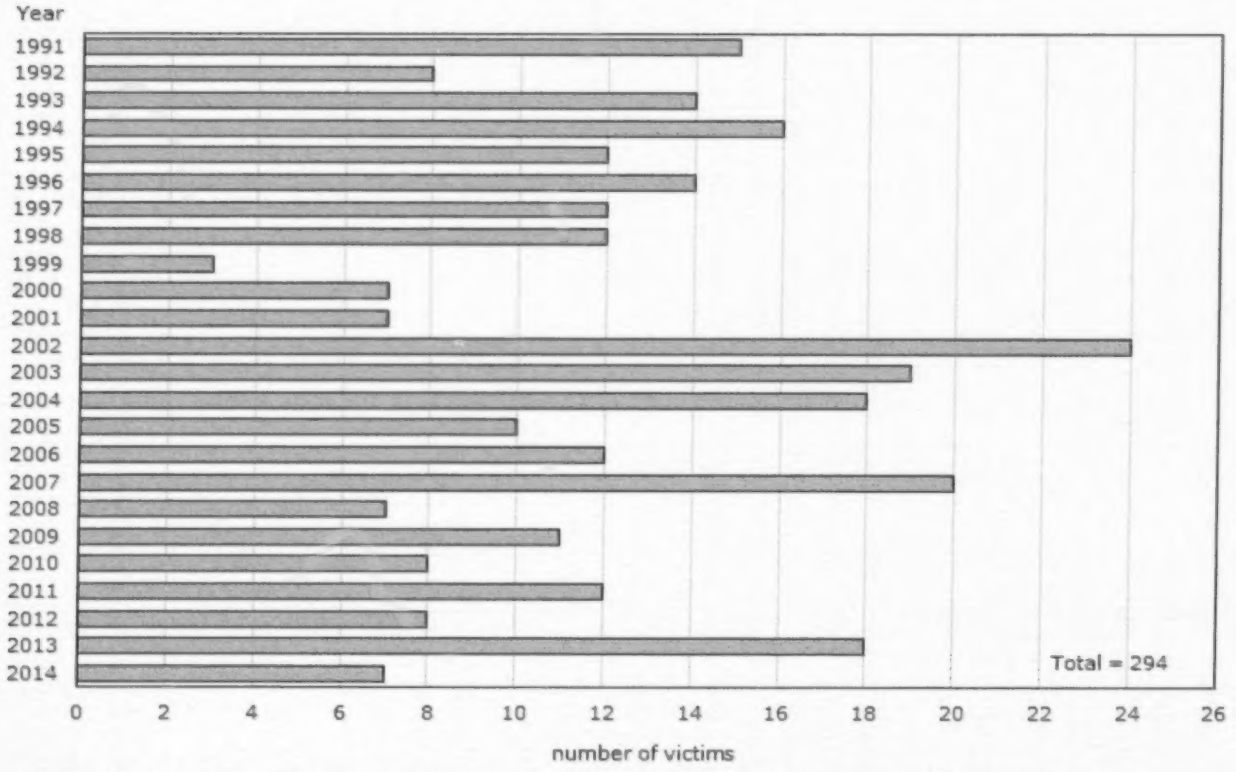
When analyzed by gender, a large discrepancy is evident. Over one quarter (27%) of females accused of a prostitution-related offence between 2009 and 2014 experienced a re-contact for a subsequent prostitution offence during the same six-year time period, compared with only 3% of male accused. These data show that although males and females are accused of prostitution offences at roughly equal rates overall, females are disproportionately overrepresented among repeat prostitution offenders at a rate approximately 9 times greater than that of their male counterparts. Said otherwise, a small proportion of females (27%) were responsible for a larger proportion of prostitution-related incidents (43%).

These findings are not unexpected due to the realities of working in the sex trade: many sex workers earn a living by offering paid sexual services. As a result, sex workers, who are predominantly women (Benoit and Shumka 2015), may have been at higher risk of being repeatedly apprehended by police for prostitution offences by nature of working in the sex work industry.

Sex workers involved in homicides

Between 1991 and 2014, there were 294 homicides in which the victim was identified as a sex worker (Chart 5). Overall, these 294 homicides represent 2% of all homicides reported in Canada during the same time period. Among those sex workers who were victims of homicide, between 1997 and 2014, over half (57%) of the homicides were reported as directly related to the victim's occupation as a sex worker.[17] This is compared with 16% of homicides that were related to the victim's occupation for those who did not work as a sex worker.[18]

Chart 5
Sex worker victims of homicides, Canada, 1991 to 2014



Note: The year represents the year in which a homicide became known to police and was reported on the Homicide Survey. Includes victims whose occupation at the time of the homicide was identified by police as 'prostitute'.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey.

The vast majority of sex worker homicide victims killed between 1991 and 2014 were female (96%). This is compared with 30% of victims of homicide that were female when looking at victims who were not sex workers.

The median age of sex worker victims was 28.5, and approximately 3% of homicides against sex workers involved victims less than 18 years of age. Aboriginal victims were overrepresented among female sex worker victims of homicide (see Text box 4 for analysis specific to homicide and Aboriginal identity).

Unsolved homicides highest for incidents involving victims who are sex workers

Homicides involving sex workers were less likely to be solved than homicides involving individuals who were not sex workers. As of 2014, just over one third (34%) of homicides of sex workers reported between 1991 and 2014 remained unsolved while this was the case for a much smaller proportion (20%) of homicides that did not involve a sex worker victim (Table 3). This difference has been noted in previous research (Johnson 2006; Royal Canadian Mounted Police 2014). Homicides involving

victims who were sex workers may be more difficult to solve in part because they usually do not involve family members or accused who are otherwise well-known to the victims (Dauvergne and Li 2006; Regoeczi et al. 2000).

In 61% of homicides of sex workers, the accused was involved in a "criminal relationship" (e.g., sex workers and their clients, drug dealers and their clients, gang members)[19] with the victim, while the same was the case for less than one in 10 (9%) homicide victims who were not sex workers.[20]

Homicides of sex workers often involve drugs

Between 1991 and 2014, over half (57%) of sex worker homicide victims had consumed an intoxicating substance, either alcohol or drugs, prior to the homicide.[21] This is a notably larger proportion than for victims of homicide who were not sex workers (38%).[22] Furthermore, among those sex worker homicide victims who had consumed an intoxicating substance, the majority involved drugs (85%). Sex work, particularly street sex work, has been linked to drug or substance use/abuse, which collectively contribute to the high-risk lifestyle experienced by those working in the sex work industry (Farley et al. 2003; Surratt et al. 2004; Tyndall et al. 2002).

In addition to collecting information about the substance use of victims, the Homicide Survey also contains a narrative section where police officers can add additional information about the homicide.[23] In total, 292 of 294 narratives provided between 1991 and 2014 offered additional details about sex worker homicides. A notable theme was of alcohol and or drugs. One in three homicide narratives involving a sex worker (38%) cited either a history of victim or accused drug or alcohol use, or a drug deal or substance-related exchange as events leading up to the homicide.

Research outside of the Homicide Survey provides further context and suggests that many sex workers have experienced long histories of abuse, including sexual and physical abuse during childhood (Bindel et al. 2012; Farley et al. 2003; Surratt et al. 2004), homelessness at some point in their lives (Farley et al. 2003), and having dealt with alcohol or drug addiction (Surratt et al. 2004).

Most homicides of sex workers happened in a private space

Half (49%) of homicides committed against sex workers between 1991 and 2014 took place in a private residence or privately-owned vehicle,[24] and just under one in three (30%) took place on a street, road, highway, in a parking lot, public transportation and/or connected facility, or other open area. Approximately 15% of homicides occurred in unknown locations. As previously noted, most police-reported prostitution-related incidents over the six year period took place in an open public space with only a small proportion occurring in a house, dwelling or private property. However, the proportion of prostitution-related incidents in private spaces has increased steadily between 2009 and 2014, which suggests that the use of private spaces (in which homicides of sex workers are more likely to be killed) may be increasing.

Persons accused of killing a sex worker were mostly male, with previous criminal convictions

Between 1997 and 2014,[25] the majority of accused were male (94%) in homicides involving a sex worker victim and where the accused had been identified by police.[26] The median age of persons accused of homicide of a sex worker was 33 years of age.

In almost half (45%) of homicides involving a sex worker victim, the accused was reported as having consumed an intoxicating substance prior to the homicide, with equal proportions having used drugs or alcohol (34%).[27]

Over half (59%) of persons accused of homicide against a sex worker for which previous conviction history is known had a previous criminal conviction. The majority of these convictions were for a violent offence (70%), which included homicide (2%), robbery (27%), and other violent offences (72%).

Sex workers more likely to be killed by an accused who committed multiple homicides

Between 1997 and 2014, in homicides of sex workers where the accused had been identified by police, 91 persons were accused in the deaths of 127 sex workers.[28] A large study conducted in the United States spanning 40 years suggests that sex workers, along with other transient subpopulations including the homeless, are overrepresented among victims of serial murderers and are a target for serial murder offenders (Quinet 2011).

In Canada, almost one third (32%) of sex worker homicide victims were killed by an accused who was also accused of the homicides of two or more sex workers between 1997 and 2014, and 29% of victims were killed by an accused who was accused of killing three or more sex workers. This is compared with 11% of other homicide victims who were not sex workers that were killed by an accused who was accused of the homicides of two or more non-sex workers, and 4% of victims who

were killed by an accused who was accused in the deaths of three or more non-sex workers. Although there are limitations to this high-level analysis such as not examining the circumstances of these homicides (e.g., 'cooling off' periods between murders, distinction from spree murders, taking into account accused who killed both sex workers and non-sex workers), the data suggest that the proportion of sex workers killed by an accused who has killed multiple sex workers was nearly three times greater than the proportion for victims who were not sex workers.

Text box 4
Aboriginal sex workers who were victims of homicide

In 2014, the overall homicide rate for Aboriginal victims was six times higher than that of non-Aboriginal people (Miladinovic and Mulligan 2015). Prior to 2014, Aboriginal identity was not consistently collected for victim or accused records due to privacy policies upheld by police services, which may have resulted in an under-reporting of Aboriginal persons implicated in homicides.[1]

Between 1997 and 2014, there were 71 female sex worker victims of homicide who were identified as Aboriginal, representing one in three (34%) of all female sex worker victims. This is more than double the proportion of Aboriginal female homicide victims who were not sex workers (16%). These findings are consistent with research which suggests that Aboriginal women in Canada are overrepresented among sex workers in general (Conseil du statut de la femme 2012). Aboriginal female sex workers who were victims of homicide had a median age of 27.

1. Between 1997 and 2014, Aboriginal identity was unknown for 3% of female sex worker homicide victims. The above figures are presented for homicides in which the Aboriginal identity for the female victim was known. In 2014, the Homicide Survey revised Aboriginal identity for female victims back to 1980 as part of an RCMP project. Male victims are excluded given that data on Aboriginal identity for males recently became reliable in 2014. See the Juristat article Homicide in Canada, 2014 for more information (Miladinovic and Mulligan 2015).

Text box 5
Human trafficking

For some, prostitution can be a gateway into human sex trafficking (Barrett 2013; Cho et al. 2012; Royal Canadian Mounted Police 2010, 2013; United States Department of State 2007), a serious crime involving the sexual exploitation of persons, often young and female, for money.

As defined by the *Criminal Code of Canada,* trafficking in persons occurs when someone recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person for the purpose of exploiting them or facilitating their exploitation, typically through forced labour or in the sex trade. Human trafficking offences may be related to prostitution-related offences in cases involving human trafficking for the purposes of sexual exploitation.

Although human trafficking crimes reported to the UCR cannot be analyzed by type of trafficking (e.g., sex trafficking, forced labour, debt bondage, or organ harvesting), it is estimated that 80% of human trafficking globally is sex trafficking (United Nations 2009), whereby victims are sexually exploited and forced to engage in non-consensual sexual acts for the purpose of profit. Sex trafficking in Canada disproportionately affects women and youth, as well as vulnerable populations including Aboriginal women, immigrants, and those of low socio-economic status (Public Safety Canada 2012).

Prostitution and human trafficking are inter-related offences. Police report that individuals engaged in prostitution are more vulnerable to becoming trafficked (Royal Canadian Mounted Police 2013). Between 2009 and 2014, there were 506 human trafficking incidents in Canada (Karam 2016). Among incidents where human trafficking was the most serious incident, 61% had a prostitution-related incident as a secondary offence. As such, prostitution is the violation most commonly related to human trafficking compared with all other criminal offences (Karam 2016).

Conversely, human trafficking was among the top three violent offences for prostitution incidents in which prostitution was a secondary offence. Human trafficking accounted for 15% of most serious violations of a violent nature for incidents involving prostitution as a secondary offence between 2009 and 2014.

Prostitution cases in the courts

Between fiscal years 2008/2009 and 2013/2014,[29] there were 7,837 completed criminal court cases where a prostitution-related offence was the most serious offence.[30] Similar to police-reported prostitution offences, the 2013 Supreme Court *R. v. Bedford* ruling on prostitution appears to coincide with an evident decline in the total volume of prostitution-related

offence cases processed through the courts. Specifically, keeping a common bawdy-house and communicating cases contributed to this decline (Table 4).

The majority (81%) of completed criminal court cases between 2008/2009 and 2013/2014 that involved prostitution were for communicating or stopping/impeding traffic offences (Table 4). A small proportion (3%) of cases were for an offence that involved the prostitution of a person under 18. Overall, most cases (82%) were single-charge cases involving only one prostitution-related charge. Less than 1% (0.8%) of completed cases took place in youth court, involving a person accused of having committed an offence when he/she was under 18 years of age.

Less than one third of prostitution cases are found guilty

Most prostitution cases completed in youth and adult court between 2008/2009 and 2013/2014 resulted in a finding of charges stayed, withdrawn, dismissed or discharged (68%), while just under one third (30%), both for youth and adult accused, resulted in a guilty verdict. This is a lower proportion of guilty findings compared with other criminal offence cases: the overall percentage of guilty findings for all completed criminal court cases was 64% over the same six year time frame. Further, the proportion of guilty verdicts rendered for prostitution cases decreased in 2013/2014 to 23% from 31% in the previous year (2012/2013). Finally, a much greater proportion of court cases with multiple charges resulted in a guilty verdict than single charge cases (62% versus 23%). It is of note that where programs exist, persons charged with prostitution may be diverted to alternative measures such as 'John school' programs for clients of sex workers or other types of diversion programs intended for sex workers or their clients (Centre to End All Sexual Exploitation 2016; Manitoba Government 2015).

At the *Criminal Code* section level (see Table 4), adult and youth cases involving a procuring offence had the largest proportion of cases found guilty (46%), compared with cases involving a bawdy-house offence (34%) or a communicating offence (27%).

One quarter of adults found guilty of prostitution were sentenced to custody

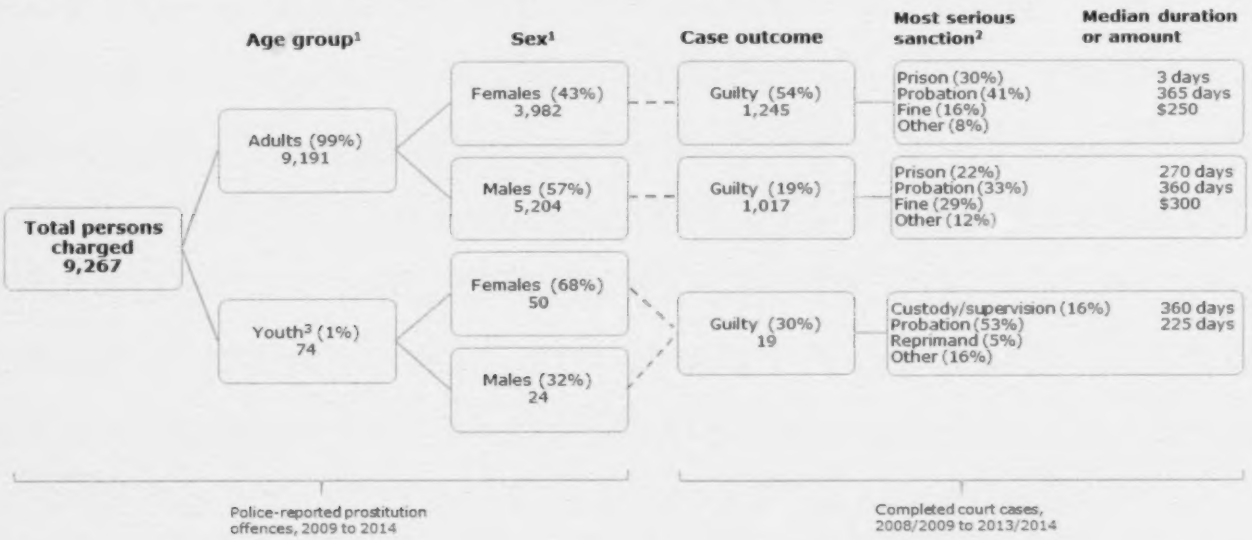
Of the completed adult prostitution cases[31] resulting in a guilty verdict, more than one in three (37%) received a sentence of probation as their most serious sentence. About one in four (26%) received a custodial sentence, while one in five (22%) received a fine, and 10% received other forms of sentences.[32] Compared to completed court cases of all criminal offences, a lower proportion of those convicted for prostitution were sentenced to custody (26% versus 35%). Multiple-charge prostitution court cases were given more serious sentences: while 17% of single charge prostitution cases found guilty were sentenced to custody, 41% of multiple charge cases were given the same.

Of the adult court cases that received a guilty verdict, a higher proportion of procuring offence cases were sentenced to custody as their most serious sentence (68%) compared with those found guilty of communicating offences (22%) or bawdy-house offences (6%). Cases involving a victim under 18 years of age (i.e., householder permitting sexual activity of person under 18, living on the avails of prostitution of person under 18, prostitution of person under 18, parent/guardian procuring of person under 18) received harsher sentences, where four in five (80%) of adult cases found guilty were sentenced to custody, compared with 24% for all other prostitution-related offence cases not involving a victim under 18 as the most serious offence. For those adults who were found guilty of a prostitution-related offence and fined, the median fine amount was $250 (Table 5). Over half (55%) of adults who received a probation sentence were sentenced to a probationary period between 181 and 365 days (six months to a year). More than half (58%) of adults sentenced to custody for a prostitution offence were incarcerated for a short period of time between 1 and 30 days. The median time spent in custody varied greatly between single charge cases and multiple-charge cases.

Females more likely to be found guilty of prostitution

Between 2008/2009 and 2013/2014, females accounted for under one third (31%) of all prostitution-related completed adult criminal court cases. However, females accounted for over half (55%) of adults found guilty of a prostitution offence. Said otherwise, the proportion of adult females found guilty of prostitution was considerably greater than that of males (54% versus 19%). Moreover, of those found guilty, a higher proportion of adult females than males were sentenced to custody as their most serious sentence (30% versus 22%) or probation (41% versus 33%), while a higher proportion of males received the least serious sentence, a monetary fine (29% versus 16%) (Figure 1). Finally, females accounted for more than half of those adults found guilty of bawdy-house offences (67%) and communicating offences (61%), whereas males accounted for the majority of those found guilty of procuring offences (87%).

Figure 1
Overview of persons charged with a prostitution offence, Canada, 2009 to 2014 and 2008/2009 to 2013/2014



1. In less than 0.1% of cases, age and/or sex was not provided for persons charged. These cases were excluded in the 'age group' or 'sex' column but included in the total persons charged figure. Age group includes persons charged with an unknown sex, and sex grouping include persons charged with an unknown age.
2. Figures do not add up to 100% because they exclude less frequent most serious sentencing options including conditional sentences (adults only), and where the accused is found guilty but no sentencing detail is available (adults and youth).
3. Youth is defined as a person under 18 years of age. Court case outcomes for male and female youth are combined due to low counts.
Note: This illustration does not depict the flow through between police and courts sectors of the justice system for a specific cohort of individuals. Not all persons reported as charged by police between 2009 and 2014 will have completed a court case for their prostitution charge between 2008/2009 and 2013/2014. Figures for police-reported offences should be considered independently of court cases figures (as indicated by the dash line). Police-reported figures are based on incidents involving prostitution as the most serious violation where an accused was charged or charges have been recommended. Criminal court figures are based on cases involving prostitution as the most serious offence in the case.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Uniform Crime Reporting Survey and Integrated Criminal Court Survey.

Females more likely to be sentenced to custody for prostitution, but for shorter periods of time

When prison sentences were imposed for persons found guilty of a prostitution-related offence, they tended to be much shorter for females than for males. For all guilty cases of prostitution between 2008/2009 and 2013/2014, the median length of custody[33] was 270 days for males and 3 days for females (Table 6). For those sentenced to probation as their most serious sentence, the median number of days on probation was 365 for females and 360 for males. Finally, for those ordered to pay a fine for a prostitution-related offence, the median fine amount ordered for males was $300, compared with $250 for females.

A higher proportion of adult males found guilty of a procuring offence as their most serious offence were sentenced to custody (72%) than adult females found guilty of a procuring offence (42%). Conversely, females were more likely to be sentenced to custody if found guilty of a communicating offence (33%) compared with males (4%).

Many factors outside of the offence itself can influence sentencing decisions, such as criminal history, other outstanding charges against the accused, or having more than one active criminal court case. Between 2008/2009 and 2013/2014, a greater proportion of females had multiple-charge cases[34] for prostitution-related offences overall compared with men (28% versus 14%). When examining only cases with multiple charges, there was a higher proportion of females found guilty overall in relation to males (69% versus 56%). This suggests that even when controlling for the number of charges against the accused, women still saw higher rates of guilty verdicts for prostitution offences overall compared with men. The general finding that women were sentenced more severely than men for prostitution was established in previous gender-based court statistics in Canada over twenty years ago (Duchesne 1997; Wolff and Geissel 1993).

Summary

In 2014, the police-reported prostitution rate was the lowest it had been since 1982 (3 incidents per 100,000 population). The majority of prostitution-related offences reported by police between 2009 and 2014 were for communicating offences. Saskatchewan had the highest prostitution rate compared with other provinces and territories in Canada at 19.3 offences per 100,000 population.

While a small proportion (12%) of persons accused of a prostitution-related offence had a re-contact with police for a subsequent prostitution offence within a six-year period, the vast majority of these repeat offenders were female (83%).

Between 1991 and 2014, 294 sex workers were victims of homicide in Canada. Alcohol, drug use, or drug-related altercations were reported to have led up to the homicide in a large portion of cases.

Most prostitution cases completed in adult court between 2008/2009 and 2013/2014 were stayed, withdrawn or otherwise dismissed, and under one third were found guilty. Females generally received more severe court outcomes and sentences than men, including proportionally more guilty verdicts, and prison sentences.

This *Juristat* article provided an analysis of police-reported prostitution offences, homicides involving sex workers, and prostitution court case outcomes prior to the 2014 legislative changes. Future research may benefit from exploring the impacts of Bill C-36 prostitution legislation on police and court data, as well as outcomes for males and females. For example, research on new prostitution offences as violent offences where sex workers may be reported as victims. As such, information related to whether a weapon was present, injury sustained, or whether force was used may be available, providing more context to these incidents. Given that Bill C-36 aims to criminalize the sex purchasers and not the sex sellers, it will be important to monitor future prostitution trends through a gender-based analysis lens.

Survey description

Uniform Crime Reporting Survey

The Uniform Crime Reporting Survey (UCR) was established in 1962 with the co-operation and assistance of the Canadian Association of Chiefs of Police. The survey is a compilation of police-reported crimes that have been substantiated through investigation from all federal, provincial and municipal police services in Canada.

Coverage of the UCR aggregate data reflects virtually 100% of the total caseload for all police services in Canada. One incident can involve multiple offences. Counts from the UCR aggregate survey presented in this article are based upon the most serious offence.

Incident-based Uniform Crime Reporting Survey Trend file

The Incident-based Uniform Crime Reporting (UCR2) Survey Trend file is a microdata survey that captures detailed information on crimes reported to and substantiated by police, including the characteristics of victims, accused persons and incidents. Counts from the UCR2 survey presented in this article are based upon all incidents with at least one prostitution offence in the incident. Coverage from the UCR2 Survey between 2009 and 2014 is estimated at 99% of the population of Canada and includes only those police services who have consistently responded in order to allow for comparisons over time.

Incident-based Uniform Crime Reporting Survey prostitution offences linked database

Using police-reported data from the Incident-based Uniform Crime Reporting (UCR2) Survey, police-reported incidents involving a prostitution offence as either a primary or secondary violation were used to generate a pool of persons accused of prostitution between 2009 and 2014. A unique person key was assigned to every accused and then used to link incidents together to determine which accused had a re-contact for a prostitution offence during the reference period. Coverage for this linked file includes 334 police services in the 13 Provinces and Territories across Canada. Matching of records was done using three variables that together attempt to identify a unique individual: an encrypted code based on the accused person's name, date of birth, and sex. In order to reduce false positive matching (i.e., where matched records incorrectly joined two different individuals), an analysis of the probability of false positives was conducted to determine linkage quality. All matched records returned with a level of high and acceptable quality for record linkage, where the number of persons correctly matched would represent at least 99% of the input population.

Homicide Survey

The Homicide Survey collects police-reported data on the characteristics of all homicide incidents, victims and accused persons in Canada. The Homicide Survey began collecting information on all murders in 1961, however a variable that identified victims as sex workers was not introduced until 1991. Further, a question that identified whether the homicide was a result of the victim's occupation was added in 1997.

Whenever a homicide becomes known to police, the investigating police service completes the survey questionnaires, which are then sent to Statistics Canada. There are cases where homicides become known to police months or years after they occurred. These incidents are counted in the year in which they become known to police. Information on persons accused of

homicide are only available for solved incidents (i.e., where at least one accused has been identified). Accused characteristics are updated as homicide cases are solved and new information is submitted to the Homicide Survey.

Information collected through the victim and incident questionnaires are also accordingly updated as a result of a case being solved. For incidents involving more than one accused, only the relationship between the victim and the closest accused is recorded.

Integrated Criminal Court Survey

The Integrated Criminal Court Survey (ICCS) is administered by the Canadian Centre for Justice Statistics (Statistics Canada) in collaboration with provincial and territorial government departments responsible for criminal courts in Canada. The survey collects statistical information on adult and youth court cases involving *Criminal Code* and other federal statute offences. The primary unit of analysis is a case. A case is defined as one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision. A case combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, or date of sentencing) into a single case.

Prostitution cases are identified by common offence classifications and are defined using the "any in the case" method. In other words, a case that has more than one charge is represented by the charge which is prostitution-related, regardless of whether or not it is the most serious charge in the case. If there is more than one prostitution charge, the case is represented by the most serious prostitution-related charge, selected according to the following rules. First, decisions are considered and the prostitution charge with the "most serious decision" (MSD) is selected. Second, in cases where two or more prostitution charges result in the same MSD (e.g., guilty), the severity of the specific offences is considered by using the Crime Severity Index weight.

Cases are counted according to the fiscal year in which they are completed. Each year, the ICCS database is "frozen" at the end of March for the production of court statistics pertaining to the preceding fiscal year. However, these counts do not include cases that were pending an outcome at the end of the reference period. If a pending outcome is reached in the next fiscal year, then these cases are included in the completed case counts for that fiscal year. However, if a one-year period of inactivity elapses, then these cases are deemed complete and the originally published counts for the previous fiscal year are subsequently updated and reported in the next year's release of the data. For example, upon the release of 2011/2012 data, the 2010/2011 data are updated with revisions for cases that were originally pending an outcome in 2010/2011 but have since been deemed complete due to a one-year period of inactivity. Data are revised once and are then permanently "frozen". Historically, updates to a previous year's numbers have resulted in an increase of about 2%.

Lastly, there are many factors that influence variations between jurisdictions. These may include Crown and police charging practices, the number, types and severity of offences, and various forms of diversion programs. In particular, trends in drug-related offences are subject to police resources, priorities, and enforcement. Therefore, any comparisons between jurisdictions should be interpreted with caution.

References

Allen, M. 2016. "Police-reported crime statistics in Canada, 2015." *Juristat.* Statistics Canada Catalogue no. 85-002-X.

Barrett, N. A. 2013. *An Assessment of Sex Trafficking in Canada.* Canadian Women's Foundation, Task Force on Trafficking of Women and Girls in Canada. Toronto, Ontario.

Benoit, C. and L. Shumka. 2015. *Sex Work in Canada.* (accessed July 4, 2016).

Bill C-36: *Protection of Communities and Exploited Persons Act*. 41st Parliament, 2nd Session. 2014. Vol. 62-63, Chapter 25. Ottawa, Ontario.

Bindel, J., L. Brown, H. Easton, R. Matthews and L. Reynolds. 2012. *Breaking Down the Barriers: A Study of How Women Exit Prostitution.* London, United Kingdom.

Carter, C. and M. Walton. 2000. *Is Anyone Listening? A Gender Analysis of Sex Trade Work.* Victoria, British Columbia. Peers.

Centre to End All Sexual Exploitation. 2016. *Prostitution Offender Program 2013.* Edmonton, Alberta. (accessed July 4, 2016).

Cho, S. Y., A. Dreher and E. Neumayer. 2012. "Does legalized prostitution increase human trafficking?" *World Development*. Vol. 41. p. 67–82.

Conseil du statut de la femme. 2012. *Prostitution: Time to Take Action*. Quebec, Quebec.

Cotter, A. and P. Beaupré. 2014. "Police-reported sexual offences against children and youth in Canada, 2012." *Juristat*. Statistics Canada Catalogue no. 85-002-X.

Dauvergne, M. and G. Li. 2006. "Homicide in Canada, 2005." *Juristat*. Vol. 26, no. 6. Statistics Canada Catalogue no. 85-002-X.

Department of Justice Canada. 2014. *Technical Paper: Bill C-36, an Act to Amend the Criminal Code in Response to the Supreme Court of Canada Decision in Attorney General Of Canada V. Bedford and to Make Consequential Amendments to Other Acts*. Ottawa, Ontario.

Duchesne, D. 1997. "Street Prostitution in Canada." *Juristat*. Vol. 17, no. 2. Statistics Canada Catalogue no. 85-002-X.

Farley, M., A. Cotton, J. Lynne, S. Zumbeck, F. Spiwak, M. E. Reyes, D. Alvarez and U. Sezgin. 2003. *Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder*. Philadelphia, Pennsylvania. The Haworth Press, Inc.

Huncar, A. 2014, May 15. "'John school' numbers dropping in light of Supreme Court ruling." *CBC News*. (accessed July 4, 2016).

Johnson, H. 2006. *Measuring Violence Against Women: Statistical Trends*. Statistics Canada Catalogue no. 85-570-X.

Karam, M. 2016. "Trafficking in persons in Canada, 2014." *Juristat*. Statistics Canada Catalogue no. 85-002-X.

Kong, R. and K. AuCoin. 2008. "Female offenders in Canada." *Juristat*. Vol. 28, no. 1. Statistics Canada Catalogue no. 85-002-X.

Manitoba Government. 2015. *Responding to Sexual Exploitation: Tracia's Trust*. (accessed July 4, 2016).

Miladinovic, Z. and L. Mulligan. 2015. "Homicide in Canada, 2014." *Juristat*. Statistics Canada Catalogue no. 85-002-X.

O'Connell, S. 1988. "The impact of Bill C-49 on street prostitution: 'What's law got to do with it'." *Journal of Law and Social Policy*. Vol. 4, no. 4. p. 109–145.

Parliament of Canada. 2014. *Statutes of Canada 2014, Chapter 25: Protection of Communities and Exploited Persons Act*. 41st Parliament, 2nd Session. No. 62-63, November 6, 2014. Ottawa, Ontario.

Perreault, S. 2013. "Impaired driving in Canada, 2011." *Juristat*. Statistics Canada Catalogue no. 85-002-X.

Public Safety Canada. 2012. *National Action Plan to Combat Human Trafficking*. Ottawa, Ontario.

Quinet, K. 2011. "Prostitutes as victims of serial homicide: Trends and case characteristics, 1970-2009." *Homicide Studies*. Vol 15, no. 1. p. 74–100.

Regoeczi, W. C., L. W. Kennedy and R. A. Silverman. 2000. "Uncleared homicides - A Canada/United States comparison." *Homicide Studies*. Vol. 4, no. 2. p. 135–161.

Royal Canadian Mounted Police (RCMP). 2010. *Human Trafficking in Canada*. The Human Trafficking National Coordination Centre. Ottawa, Ontario.

Royal Canadian Mounted Police (RCMP). 2013. *Domestic Human Trafficking for Sexual Exploitation in Canada*. The Human Trafficking National Coordination Centre. Ottawa, Ontario.

Royal Canadian Mounted Police (RCMP). 2014. *Missing and Murdered Aboriginal Women: A National Operational Overview*. Ottawa, Ontario.

Statistics Canada. 2015. *Juristat Definitions*. Statistics Canada Catalogue no. 85-002-X. (accessed July 4, 2016).

Surratt, H. L., J. A. Inciardi, S. P. Kurtz and M. C. Kiley. 2004. "Sex work and drug use in a subculture of violence." *Crime Delinquency*. Vol. 50. p. 43–59.

Tumilty, R. 2014, June 16. "New prostitution law could hinder Edmonton's John School: Lawyer." *Metro News Edmonton*. (accessed July 4, 2016).

Tyndall, M. W., D. Patrick, P. Spittal and K. Li. 2002. "Risky sexual behaviours among injection drug users with high HIV prevalence: Implications for STD control." *Sexually Transmitted Infections*. Vol. 78. p. 170–175.

United Nations. 2009. *Factsheet on Human Trafficking*. (accessed July 4, 2016).

United States Department of State. 2007. *Trafficking in Persons Report*. Office of the Under Secretary for Democracy and Global Affairs and Bureau of Public Affairs. (accessed July 4, 2016).

Wolff, L. and D. Geissel. 1993. "Street prostitution in Canada." *Juristat*. Vol. 13, no. 4. Statistics Canada Catalogue no. 85-002-X.

Notes

1. Prior to the enactment of the *Protection of Communities and Exploited Persons Act* (*PCEPA*), prostitution (i.e., a transaction that involves both the purchase and sale of sexual services) was a legal activity, although most prostitution-related activities were illegal.

2. *R. v. Bedford*, 2013 SCC 72.

3. This analysis is based on the research file from the Incident-based Uniform Crime Reporting Survey Trend Database (2009 to 2014), which represents 99% of police services in Canada. Figures from 2014 reflect updates last made in March 2015.

4. Percentages add up to 99%. The remaining offences introduced under Bill C-36 in December of 2014 (see Text box 3).

5. A census metropolitan area (CMA) consists of one or more neighbouring municipalities situated around a major urban core. A CMA must have a total population of at least 100,000 of which 50,000 or more live in the urban core. To be included in the CMA, other adjacent municipalities must have a high degree of integration with the central urban area, as measured by commuting flows derived from census data. A CMA typically comprises more than one police service. The Oshawa CMA is excluded from this analysis due to the incongruity between the police service jurisdictional boundaries and the CMA boundaries.

6. Non-CMAs consist of all other cities or townships which are not in the identified list of 33 CMAs in Table 2. This includes 977 cities or townships spread out across Canadian provinces and territories.

7. One incident can involve multiple (up to 4) offences. The most serious violation is determined by police according to standardized classification rules in the Uniform Crime Reporting Survey which considers, for instance, whether or not the offence is violent, the maximum penalty imposed by the *Criminal Code* and the relationship of the offender to the victim. In the case of prostitution, only offences deemed less serious than prostitution according to the classification standards would be captured in the same incident where prostitution was the most serious offence.

8. Note that reporting secondary violations on an incident are not mandatory for police services. As such, it is possible that some secondary violations of prostitution are underreported.

9. Commonly referred to as human trafficking.

10. Level 1 assault (also referred to as common assault) is the most common and least serious form of assault which causes little to no physical harm to victims. Behaviours may include pushing, slapping, punching, or face-to-face threats (Statistics Canada 2015).

11. Offences against the administration of justice include, in order of frequency, failure to comply with conditions, breach of probation, failure to attend court, obstruct public/peace officer, and other administration of justice offences.

12. This includes prostitution incidents reported as either a most serious offence or as a secondary offence.

13. Commercial spaces include commercial dwelling units (motel or hotel rooms, bed and breakfast accommodations, short term rental units) or other commercial or corporate places (locations where the principal purpose is to conduct legitimate business for profit, including building or warehouse surrounding areas). A very small proportion (0.3%) of prostitution incidents took place in a school setting, whether during supervised or unsupervised school activities. The remaining 5% took place in other location types (bank or other financial institution, new or used car dealership, convenience store, gas station, university/college, other non-commercial/corporate place, bar or restaurant, religious institution, hospital, homeless shelter/mission, or unknown locations [2%]).

14. See, for example, impaired driving incident analysis by time of day and day of week (Perreault 2013).

15. Time of day incident information was unknown in 5% of reported prostitution incidents.

16. Overall, police reported that there were 13,857 persons accused of a prostitution-related offence as either their most serious or secondary offence between 2009 and 2014. For 79% of these accused, the prostitution offence was their most

serious offence. In order to ensure accused characteristics are most representative of persons accused of prostitution as opposed to other more serious crimes, while also controlling for multiple accused in the same incident, data on accused will look at only those accused whose most serious offence was prostitution-related.

17. Information about association of victim occupation/profession to the homicide incident was not available prior to 1997. Calculation of proportions includes cases where the association of the death with the occupation/profession was unknown at the time of the incident (21%). Note that this *Juristat* article analyzes all victims identified as sex workers whether or not their profession was reported as related to the homicide, whereas other Homicide *Juristat* articles analyze only victims whose death was directly related to the profession when examining occupation data.

18. Calculation of proportions includes non-sex worker victims where the association of the death with the occupation/profession was unknown at the time of the incident (5%), or in incidents where the victim was not in the labour force (45%). It is noted that this variable is less reliable when there is no clear connection between the victim's occupation and the homicide, leading to incomplete victim occupation information.

19. Includes, for example, sex workers and their clients, drug dealers and their clients, loan sharks, or gang members. When more than one relationship applies (e.g., criminal relationship and close friend), police are asked to report the primary relationship.

20. Figures based off of incidents where the relationship between the accused and the victim was known. The relationship was unknown in 2% of sex worker homicide incidents where the accused had been identified by police, and 1% for victims of homicide who were not sex workers.

21. For over one third (37%) of sex worker victims, intoxicating substance consumption information was reported as unknown. This is included in the calculation of proportions.

22. Intoxicating substance consumption information for homicide victims who were not sex workers was unknown for 24% of victims.

23. There is no specific length or detail in the narratives required, and as such information gathered from the narratives can vary considerably. This is especially the case for older narratives dating back to the 1990s. Nevertheless, the narratives do provide additional contextual details about the homicide that can be used to identify and analyze themes that may not have been captured in the quantitative component of the survey.

24. Includes a single home, house or townhouse, apartment building, hotel/motel, other residential dwelling unit, or privately owned vehicle.

25. Data on accused associated with homicides against sex workers is available beginning in 1997 when the Homicide Survey began asking police to identify which accused person was closest to the victim.

26. The identity of the accused was unknown in 31% of homicides of sex workers (these incidents remain unsolved).

27. In nearly one third (30%) of solved homicides involving a sex worker and where information on substance consumption of the accused was unknown. Unknowns are included in the calculation of percentages in this case due to their size.

28. As a result of investigations in British Columbia, there were several related homicides that primarily involved sex workers: 5 reported in 2007, 5 reported in 2004, 7 reported in 2003, and 15 included in 2002 that occurred in previous years.

29. Data from criminal courts are provided on a fiscal year basis (April 1st to March 31st). Data are grouped over a six year period (2008/2009 to 2013/2014) to align as closely as possible with the time period of police-reported offences analyzed in this report (2009 to 2014).

30. Courts data includes both single and multiple-charge cases.

31. Among those found guilty of a prostitution-related offence in a youth court (30%), most were sentenced to probation as their most serious sentence (53%; see Figure 1).

32. Other types of sentences include restitution, absolute and conditional discharge, suspended sentence, community service order and prohibition orders, among others. The remaining 3% were found guilty but no sentencing detail was available.

33. The length of custody captured with this variable represents the time which remains on a custodial sentence, not the total length of the sentence ordered by the judge.

34. A multiple-charge court case is a case with two or more prostitution-related offence charges.

Detailed data tables

Table 1
Police-reported prostitution offences, by province or territory, 2009 to 2014

	2009		2010		2011		2012		2013		2014		2009 to 2014	
Province and territory	#	rate	#	rate	#	rate	#	rate	#	rate	#	rate	total #	average rate[1]
Newfoundland and Labrador	23	4.5	23	4.4	12	2.3	22	4.2	22	4.2	10	1.9	112	3.6
Prince Edward Island	1	0.7	0	0.0	4	2.8	2	1.4	1	0.7	2	1.4	10	1.2
Nova Scotia	62	6.6	70	7.4	45	4.8	28	3.0	58	6.2	61	6.5	324	5.7
New Brunswick	57	7.6	47	6.2	45	6.0	72	9.5	73	9.7	27	3.6	321	7.1
Quebec	563	7.2	384	4.8	391	4.9	332	4.1	228	2.8	117	1.4	2,015	4.2
Ontario	1,230	9.5	974	7.4	574	4.3	512	3.8	495	3.7	278	2.0	4,063	5.1
Manitoba	107	8.9	100	8.2	157	12.7	148	11.8	98	7.7	57	4.5	667	8.9
Saskatchewan	240	23.2	199	18.9	242	22.7	206	19.0	275	24.9	87	7.7	1,249	19.3
Alberta	508	13.8	560	15.0	403	10.6	284	7.3	446	11.1	209	5.1	2,410	10.4
British Columbia	741	16.8	656	14.7	572	12.7	492	10.8	345	7.5	218	4.7	3,024	11.1
Yukon	0	0.0	0	0.0	1	2.8	0	0.0	2	5.5	2	5.5	5	2.3
Northwest Territories	2	4.6	7	16.2	5	11.5	3	6.9	2	4.6	2	4.6	21	8.0
Nunavut	0	0.0	0	0.0	1	2.9	1	2.9	1	2.8	3	8.2	6	2.9
Canada	**3,534**	**10.5**	**3,020**	**8.9**	**2,452**	**7.1**	**2,102**	**6.1**	**2,046**	**5.8**	**1,073**	**3.0**	**14,227**	**6.9**

1. Average rates are calculated by dividing the sum of police-reported prostitution incidents for 2009 to 2014 for a given province or territory by the sum of population counts for 2009 to 2014, multiplied by 100,000 population.

Note: Police-reported statistics may be affected by differences in the way police services deal with offences. In some instances, police or municipalities might choose to deal with some offences using municipal by-laws or provincial provisions rather than *Criminal Code* provisions. This may explain disparities between some provinces. Counts are based on aggregate provincial data, and are based on the most serious violation in the incident. One incident may involve multiple violations. Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada, Demography Division. Figures from 2014 reflect updates last made in March 2015. Revised data are available as of July 2016, but were not accessible in time for this report.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey.

Table 2
Police-reported prostitution offences, by census metropolitan area, 2009 to 2014

Census metropolitan area[1, 2, 3]	2009		2010		2011		2012		2013		2014		2009 to 2014	
	#	rate	#	rate	#	rate	#	rate	#	rate	#	rate	total #	average rate[4]
St. John's	23	12.0	20	10.2	10	5.0	19	9.4	19	9.3	5	2.5	96	8.0
Halifax	59	15.0	65	16.3	40	9.9	21	5.2	51	12.4	54	13.0	290	12.0
Moncton[5]	32	23.6	32	23.2	37	26.4	57	40.2	58	40.6	20	13.0	236	27.7
Saint John[5]	16	11.0	5	3.4	4	2.7	10	6.8	2	1.4	0	0.0	37	4.3
Saguenay	2	1.4	2	1.4	1	0.6	1	0.6	0	0.0	0	0.0	6	0.6
Québec	24	3.2	36	4.7	69	8.9	46	5.9	13	1.7	5	0.6	193	4.2
Sherbrooke	10	5.4	1	0.5	0	0.0	1	0.5	5	2.6	0	0.0	17	1.5
Trois-Rivières	15	10.0	2	1.3	5	3.3	11	7.2	5	3.2	0	0.0	38	4.1
Montréal	495	13.0	324	8.4	293	7.5	253	6.4	190	4.8	98	2.4	1,653	7.0
Gatineau[6]	9	3.0	10	3.2	13	4.1	7	2.2	6	1.9	8	2.5	53	2.8
Ottawa[7]	50	5.4	31	3.3	19	2.0	44	4.6	63	6.5	33	3.3	240	4.2
Kingston	9	5.6	14	8.7	0	0.0	1	0.6	2	1.2	2	1.2	28	2.9
Peterborough	2	1.7	1	0.8	2	1.7	0	0.0	0	0.0	0	0.0	5	0.7
Toronto	637	11.5	370	6.6	86	1.5	104	1.8	124	2.1	79	1.3	1,400	4.0
Hamilton	110	15.6	69	9.7	71	9.9	61	8.4	63	8.6	14	1.9	388	8.9
St. Catharines–Niagara	9	2.0	17	3.9	3	0.7	7	1.6	13	2.9	0	0.0	49	1.8
Kitchener–Cambridge–Waterloo	63	12.3	45	8.7	52	9.9	30	5.7	16	3.0	7	1.3	213	6.7
Brantford	10	7.2	13	9.3	3	2.1	3	2.1	6	4.2	5	3.5	40	4.7
Guelph	1	0.8	3	2.4	1	0.8	1	0.8	5	3.9	8	6.2	19	2.5
London	79	16.3	79	16.2	117	23.8	79	15.9	62	12.4	3	0.6	419	14.1
Windsor	98	29.8	66	20.1	72	21.9	66	20.0	34	10.3	3	0.9	339	17.2
Barrie	7	3.5	7	3.5	28	13.8	15	7.3	6	2.9	18	8.6	81	6.6
Greater Sudbury	26	15.7	54	32.8	50	30.4	30	18.2	15	9.1	0	0.0	175	17.7
Thunder Bay	10	8.3	7	5.8	0	0.0	0	0.0	0	0.0	0	0.0	17	2.4
Winnipeg	104	13.7	95	12.4	151	19.5	143	18.1	92	11.5	52	6.6	637	13.6
Regina	63	29.7	65	30.0	69	31.3	92	40.4	87	37.2	7	2.9	383	28.4
Saskatoon	142	53.6	116	42.7	136	48.9	105	36.4	161	54.1	59	19.2	719	42.1
Calgary	150	12.3	182	14.6	113	8.9	65	5.0	143	10.5	53	3.8	706	9.0
Edmonton	307	26.3	276	23.2	214	17.7	155	12.4	233	18.1	106	8.0	1,291	17.4
Kelowna	22	12.3	13	7.2	3	1.6	17	9.2	16	8.6	10	5.3	81	7.3
Abbotsford–Mission	33	19.3	20	11.6	11	6.3	24	13.6	15	8.4	19	10.6	122	11.6
Vancouver	503	21.9	384	16.4	396	16.7	350	14.5	220	9.0	141	5.7	1,994	13.9
Victoria	16	4.6	6	1.7	2	0.6	10	2.8	5	1.4	0	0.0	39	1.8
Canada	**3,534**	**10.5**	**3,020**	**8.9**	**2,452**	**7.1**	**2,102**	**6.1**	**2,046**	**5.8**	**1,073**	**3.0**	**14,227**	**6.9**

1. A census metropolitan area (CMA) consists of one or more neighbouring municipalities situated around a major urban core. A CMA must have a total population of at least 100,000 of which 50,000 or more live in the urban core. To be included in the CMA, other adjacent municipalities must have a high degree of integration with the central urban area, as measured by commuting flows derived from census data. A CMA typically comprises more than one police service.
2. CMA populations have been adjusted to follow policing boundaries.
3. The Oshawa CMA is excluded from this table due to the incongruity between the police service jurisdictional boundaries and the CMA boundaries.
4. Average rates are calculated by dividing the sum of police-reported prostitution incidents for 2009 to 2014 for a given CMA by the sum of population counts for 2009 to 2014, multiplied by 100,000 population.
5. Part way through 2013, the Royal Canadian Mounted Police revised policing boundaries for rural detachments in New Brunswick. This resulted in a change in the census metropolitan area (CMA) boundaries that are determined for the purpose of reporting crime statistics. As such, 2013 data for the New Brunswick CMAs of Saint John and Moncton are not comparable to previous or future years. Further, data from 2014 onward are not comparable to years prior to 2014.
6. Gatineau refers to the Quebec part of the Ottawa–Gatineau CMA.
7. Ottawa refers to the Ontario part of the Ottawa–Gatineau CMA.

Note: Counts are based upon the most serious violation in the incident. One incident may involve multiple violations. Rates are calculated on the basis of 100,000 population. Populations are based upon July 1st estimates from Statistics Canada, Demography Division. This analysis is based on the research file from the Incident-based Uniform Crime Reporting Survey Trend Database (2009 to 2014), which represents 99% of police services in Canada. Figures from 2014 reflect updates last made in March 2015. Revised data are available as of July 2016, but were not accessible in time for this report.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Incident-based Uniform Crime Reporting Survey.

Table 3
Sex workers compared with non-sex workers, by selected characteristics of homicides, Canada, 1991 to 2014

	Sex worker victims		Non-sex workers[1]	
Selected characteristics	number	percent	number	percent
Unsolved homicides (not cleared)	100	34	2,071	20
Female victims[2]	283	96	3,105	30
Aboriginal victims[3]	72	35	995	16
Victims who consumed an intoxicating substance prior to the homicide[4]	168	57	3,891	38
Victims killed by an accused with whom they had a criminal relationship[5]	114	61	738	9
Median age of victims[6]	28.5	...	33.0	...

... not applicable
1. Includes victims who were not identified by police as a 'prostitute', including those not in the labour force at the time of the homicide (36%). Excludes those with unknown occupations (27%).
2. Total excludes cases where the sex of the victim is unknown (less than 0.1% for both sex worker victims and non-sex worker victims).
3. Data from 1997 to 2014 only as prior to 1997, it was not possible to separate reported non-Aboriginal identity from not having been collected by police. Total excludes cases where the Aboriginal identity of the victim was unknown (3% for sex worker victims, 6% for non-sex worker victims) or not collected/released by the police service (3% for sex worker victims, 24% for non-sex worker victims). Note that Aboriginal identity information was available only for females prior to 2014 and thus these figures represent mostly Aboriginal females (99% for sex worker victims, 42% for non-sex worker victims). Figures for non-sex workers should be interpreted with caution given the high proportion of Aboriginal identity unknowns or not collected (30%). The percentage of Aboriginal victims of the non-sex worker group may be an over- or under-estimation of Aboriginal victims due to incomplete data on Aboriginal identity for males prior to 2014. Given that the vast majority of sex worker victims were female, this caution does not impact the figures for sex worker victims.
4. Total includes cases where information on substance consumption was unknown (37% for sex worker victims, 24% for non-sex worker victims).
5. A criminal relationship includes sex workers and their clients, drug dealers and their clients, loan sharks, or gang members. When more than one relationship applies (e.g. criminal relationship and close friend), police are asked to report the primary relationship. Excludes cases where the accused is unknown to police (see unsolved homicides figures, this table) or where the relationship of the accused to the victim was unknown (2% for sex worker victims, 1% for non-sex worker victims).
6. Age of the victim was unknown for 0.1% of non-sex worker victims. These were excluded from the calculations of percentages.
Note: Sex-worker victims includes those whose occupation at the time of the homicide was identified by police as 'prostitute'.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey.

Table 4
Prostitution-related court cases, by adult and youth cases, Canada, 2008/2009 to 2013/2014

	2008/2009		2009/2010		2010/2011		2011/2012		2012/2013		2013/2014	
	Adult	Youth	Adult	Youth	Adult	Youth	Adult	Youth	Adult	Youth	Adult	Youth
***Criminal Code* section**	number of court cases											
Householder permitting sexual activity of person under 18 (s. 171)	3	1	5	0	8	0	5	1	11	0	7	1
Keeping common bawdy-house (s. 210)	150	0	178	1	139	2	109	1	79	1	79	0
Transporting person to bawdy-house (s. 211)	1	0	1	0	0	0	0	0	1	0	1	0
Total procuring offences	**87**	**3**	**87**	**1**	**101**	**4**	**106**	**2**	**151**	**3**	**122**	**8**
Procuring (s. 212(1))	55	3	65	1	81	3	76	2	97	1	78	6
Living on the avails of prostitution of person under 18 (s. 212(2) & 212(2.1))	10	0	12	0	7	0	14	0	16	1	17	2
Prostitution of person under 18 (s. 212(4))	18	0	7	0	11	1	15	0	38	1	25	0
Parent or guardian procuring sexual activity of person under 18 (s. 170)	4	0	3	0	2	0	1	0	0	0	2	0
Communicating/stopping or impeding traffic for the purposes of obtaining or providing sexual services (s. 213)	1,391	13	1,448	8	1,336	8	820	1	654	2	694	2
Total	**1,632**	**17**	**1,719**	**10**	**1,584**	**14**	**1,040**	**5**	**896**	**6**	**903**	**11**

Note: Includes court cases where a prostitution-related offence was the most serious offence in the case.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

Table 5
Median amount or length of sentences imposed on adults convicted of a prostitution offence, by number of charges in a case, Canada, 2008/2009 to 2013/2014

	All cases	Single charge cases	Multiple-charge cases
Most serious sentence imposed	median amount in dollars		
Fine	250	250	250
	median length in days		
Probation	365	365	365
Custody	15	1	97.5

Note: Includes court cases where a prostitution-related offence was the most serious offence in the case.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.

Table 6
Median amount or length of sentences imposed on adults convicted of a prostitution offence, by sex, Canada, 2008/2009 to 2013/2014

	All cases	Females	Males
Most serious sentence imposed	median amount in dollars		
Fine	250	250	300
	median length in days		
Probation	365	365	360
Custody	15	3	270

Note: Includes court cases where a prostitution-related offence was the most serious offence in the case.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Integrated Criminal Court Survey.